

**ENTERED**

August 16, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

JONAS YBARRA, JR.,

Plaintiff,

VS.

TEXAS HEALTH AND HUMAN  
SERVICES COMMISSION, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:17-CV-174

**ORDER**

On June 12, 2018, the United States Magistrate Judge filed a Report and Recommendation (Doc. 46). Plaintiff has timely objected to the Report and Recommendation (Doc. 47).

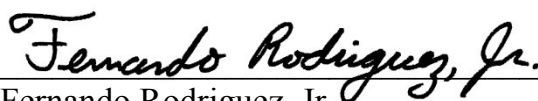
Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Plaintiff's Objections, the Court **ADOPTS** the Report and Recommendation. Therefore, Defendants' Motions to Dismiss (Docs. 25, 27, and 42) are **GRANTED**. Accordingly, it is

**ORDERED** that Plaintiff Jonas Ybarra, Jr.'s claims against any and all defendants for (1) unlawful retaliation; (2) discrimination based on sex; (3) 42 U.S.C. § 1985 conspiracy to interfere with Plaintiff's civil rights; (4) violations of 5 U.S.C. § 2302(b); (5) *Bivens* civil rights violations; and (6) 42 U.S.C. § 1983 civil rights violations are **DISMISSED** with prejudice for failure to state a claim upon which relief can be granted. It is further

**ORDERED** that Plaintiff's claim of conversion against Defendants Gonzalez,

Wong, and De Luna are **DISMISSED** without prejudice for lack of subject matter jurisdiction.

SIGNED this 16th day of August, 2018.

  
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Fernando Rodriguez, Jr.  
United States District Judge